

REMARKS

Claim Amendments

Claims 1, 2, 5-8, 11-21, 23-25, 27, 28, 30, 31, and 33-47 are pending, with claims 7, 8, 18, 19, 28, 30, 31, and 33-44 withdrawn, and claims 1, 2, 5, 6, 11-17, 20, 21, 23-25, 27, and 45-47 under current examination. By this Amendment, Applicants have amended claims 1, 11, 20, and 24, and added new claims 48-59. Support for the amendments and for the subject matter of new claims 48-59 can be found in the specification at, for example, ¶¶ [025], [028], and [034], among other places. No new matter has been added.

Previous Claim Rejection Under 35 U.S.C. § 101

Applicants acknowledge with appreciation the Examiner's withdrawal of the claim rejection under 35 U.S.C. § 101.

Summary

In the final Office Action, the Examiner (1) rejected claim 1 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite; and (2) rejected claims 1, 2, 5, 6, 11-17, 20, 21, 23-25, 27, and 45-47 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,005,945 ("Whitehouse"), in view of U.S. Patent No. 5,019,991 ("Sansone") and U.S. Patent No. 7,458,612 ("Bennett").

Rejection of Claim 1 under 35 U.S.C. § 112, Second Paragraph

The final Office Action rejected claim 1 under 35 U.S.C. § 112, second paragraph, because the recitation of "the address information" allegedly lacks sufficient antecedent basis. See final Office Action, p. 3. This rejection is moot because Applicants have deleted the recitation of "the address information."

Rejection of Claims under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1, 2, 5, 6, 11-17, 20, 21, 23-25, 27, and 45-47 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Whitehouse in view of Sansone and Bennett. A *prima facie* case of obviousness has not been established with respect to these claims.

To establish a *prima facie* case of obviousness, the final Office Action must, among other things, properly determine the scope and content of the prior art and properly ascertain the differences between the claimed invention and the prior art. See M.P.E.P. § 2144.08(II)(A). Furthermore, the final Office Action must make findings with respect to all of the claim limitations and must provide “some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” See M.P.E.P. §§ 2143.03 and 2141(III).

Amended independent claim 1 recites, among other things, the following elements:

printing, using a printing device, a postage indicia that represents the estimated postage amount, an addressee information, a sender information, a unique postage number that uniquely identifies the postage indicia and prevents duplication of the postage indicia, a unique delivery confirmation number that uniquely identifies the mailpiece, and a date . . .

wherein at least one of the unique postage number and the unique delivery confirmation number is associated with billing information of a sender.

The final Office Action admits that Whitehouse and Sansone do not disclose “printing . . . a postage indicia that represents . . . a unique postage number that uniquely identifies the postage indicia and prevents duplication of the postage indicia,

[and] a unique delivery confirmation number that uniquely identifies the mailpiece,” as recited in claim 1, and relies on Bennett to allegedly cure the deficiencies of Whitehouse and Sansone. See final Office Action, pp. 5-6.

Bennett discloses a “postal shipping label.” Bennett, Title. The final Office Action alleges that Bennett’s Figs. 2, 8, and 9, and their corresponding descriptions disclose a postage indicium that has “human-readable characters 28” and a “human readable delivery confirmation code (item 32).” Final Office Action, p. 6. The final Office Action further alleges that Bennett discloses that the human-readable characters 28 include a “unique identifier of [a] mail piece.” *Id.*

Without conceding to the final Office Action’s allegations, Applicants submit that neither Bennett’s human-readable characters 28, nor its human readable delivery confirmation code, nor the unique identifier of a mail piece included in the human-readable characters 28, is “associated with billing information of a sender,” as recited in amended claim 1. Therefore, Bennett does not teach or suggest “wherein at least one of the unique postage number and the unique delivery confirmation number is associated with billing information of a sender,” as recited in amended claim 1, and thus, fails to cure the deficiencies of Whitehouse and Sansone.

For at least the foregoing reasons, Whitehouse, Sansone, and Bennett, whether taken alone or in any combination, fail to teach or suggest the elements recited in amended independent claim 1, and the Office Action has incorrectly determined the scope and content of the prior art. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 1. Claim 1 is therefore allowable over the cited references.

Although of different scope, independent claims 11, 20, and 24 recite elements similar to those discussed above in connection with claim 1. Therefore, independent claims 11, 20, and 24 are allowable for at least the same reasons discussed above with respect to claim 1. In addition, dependent claims 2, 5, 6, 12-17, 21, 23, 25, 27, and 45-47 are allowable at least by virtue of their dependence from independent claims 1, 11, 20, and 24. Applicants therefore respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection.

New Claims 48-59

New claims 48-59 are allowable over the cited references at least by virtue of their dependence from claims 1, 11, 20 and 24.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of this application and timely allowance of the pending claims.

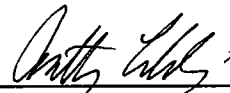
The final Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the final Office Action.

Please grant any additional extensions of time required to enter this response
and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By: 

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